

CS FOR SENATE BILL NO. 229(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/12/22

Referred: Resources

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

"An Act relating to historic, prehistoric, or archeological resources; and relating to unlawful acts involving historic, prehistoric, or archeological resources."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** AS 41.35.200(b) is amended to read:

(b) A person may not possess, sell, buy, or transport within the state, or offer to sell, buy, or transport within the state, historic, prehistoric, or archeological resources taken or acquired in violation of this section or 18 U.S.C. 1866(b) [16 U.S.C. 433].

*** Sec. 2.** AS 41.35.210 is amended to read:

Sec. 41.35.210. Criminal penalties. Except as provided by (b) of this section, a [A] person who knowingly violates [IS CONVICTED OF VIOLATING A PROVISION OF] AS 41.35.010 - 41.35.240 is guilty of a class A misdemeanor.

*** Sec. 3.** AS 41.35.210 is amended by adding new subsections to read:

(b) If a person intentionally violates AS 41.35.200(a) or (b), and the value of

1 the affected historic, prehistoric, or archeological resource is equal to or greater than
2 \$10,000 or the affected resource is of significant historical value to the state, the
3 person is guilty of a class C felony punishable as provided in AS 12.55.

4 (c) If it is necessary in prosecuting a violation of AS 41.35.010 - 41.35.240 to
5 determine the value of a historic, prehistoric, or archaeological resource, the appraised
6 value of the historic, prehistoric, or archeological resource at the time and place of the
7 crime is the value. In determining the degree or classification of a crime under this
8 section, amounts involved in criminal acts committed under one course of conduct,
9 whether from the same person or several persons, shall be aggregated.

10 (d) In this section, "intentionally" and "knowingly" have the meanings given
11 in AS 11.81.900(a).

12 * **Sec. 4.** The uncoded law of the State of Alaska is amended by adding a new section to
13 read:

14 APPLICABILITY. AS 41.35.200(b), as amended by sec. 1 of this Act, AS 41.35.210,
15 as amended by sec. 2 of this Act, and AS 41.35.210(b) - (d), added by sec. 3 of this Act, apply
16 to offenses committed on or after the effective date of this Act.